

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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GERONIMO JOURDAIN,

Plaintiff,

-against-

SERVICE EMPLOYEES INTERNATIONAL UNION
LOCAL 1199 (UNITED HEALTHCARE WORKERS
EAST), NEW YORK PRESBYTERIAN HOSPITAL,

Defendants.
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**ORDER VACATING
NOTICES OF
DEPOSITIONS
AND GRANTING
PROTECTIVE ORDER**

09 Civ. 1942 (AKH)

ALVIN K. HELLERSTEIN, U.S.D.J.:

Plaintiff Geronimo Jourdain, proceeding *pro se*, was previously employed by Defendant New York Presbyterian Hospital and was a member of Defendant Service Employees International Union Local 1199 (hereinafter, "Local 1199"). Plaintiff alleges that his employment was wrongfully terminated and that Defendants are liable for employment discrimination, constitutional and human rights violations, and federal labor law violations. Plaintiff has served notices of depositions on the Defendants. For the reasons stated below, Plaintiff's notices of depositions are vacated and a protective order is granted.

On March 10, 2010, Local 1199 moved to dismiss the complaint or, in the alternative, for summary judgment. Local 1199 also moved under Rule 26(c)(1) of the Federal Rules of Civil Procedure for a protective order to prevent Plaintiff from deposing union employees pending resolution of its motion to dismiss. On March 22, 2010, the

Court received a letter from Plaintiff opposing Local 1199's motion for a protective order and requesting additional time to conduct the depositions.

A district court possesses broad authority to regulate discovery proceedings. Robertson v. National Basketball Ass'n, 622 F.2d 34, 35-36 (2d Cir. 1980); Ass'n Fe Y Allegria v. The Republic of Ecuador, 98 Civ. 8650 (BSJ), 1999 U.S. Dist. LEXIS 4815, 1999 WL 147716, at *1 (S.D.N.Y. March 16, 1999). A district court may, "for good cause, issue an order to protect a party . . . from . . . undue burden or expense." Fed. R. Civ. P. 26(c)(1). Local 1199's motion appears to have merit and resolution of that motion may eliminate the need to conduct any depositions. See Robertson, 622 F.2d at 35-36. Accordingly, I grant a protective order in favor of both Defendants to protect them from "undue burden or expense." Fed. R. Civ. P. 26(c)(1).

Plaintiff's notices of depositions are vacated with respect to both Defendants pending resolution of Local 1199's motion. Plaintiff may renew his notices of deposition if Local 1199 does not prevail on its pending motion.

The Clerk shall mark the motion (Doc. No. 22) as terminated.

SO ORDERED.

Dated: April 1, 2010
New York, New York



ALVIN K. HELLERSTEIN
United States District Judge